

EXHIBIT B

Sochaczewski, Danielle

From: Steven R. Ruby <sruby@baileyglasser.com>
Sent: Sunday, April 12, 2020 9:45 PM
To: Burgoyne, Robert (Perkins Coie)
Cc: Mew, Caroline (Perkins Coie); Sochaczewski, Danielle
Subject: Re: City of Huntington v. AmerisourceBergen Drug Corp. No. 3:17-01362; 3:17-01665 (S.D. W. Va.): Non-party Subpoena Served on NBME

Bob -

Before your letter arrived, and perhaps unbeknownst to you, the Board called us to say it was already searching for documents and intended to produce documents in response to the subpoena. We recognized that gathering those materials might take some time, especially given the exceptional circumstances that we all now face, so we committed to flexibility on the deadline. We were surprised, then, to read in your letter that the Board would neither search for nor produce any documents whatsoever—and that we “have not made any effort to avoid imposing undue burden.”

Let’s have a call. As we told the Board, we’re entirely prepared to take reasonable steps as to the burden of compliance, and we should discuss those with you. We could talk Tuesday any time except 2 to 4.

Best regards,
Steve

Steven R. Ruby
Bailey & Glasser LLP
T: 304.345.6555

On Apr 10, 2020, at 5:38 PM, Burgoyne, Robert (Perkins Coie) <RBurgoyne@perkinscoie.com> wrote:
CAUTION: External Email

Hello Steven,

Our firm represents the National Board of Medical Examiners in connection with the subpoena that you served on NBME on March 27th. The attached letter is sent on NBME’s behalf in response to the subpoena.

Let us know if you have any questions.

Best regards,

Bob Burgoyne

Robert Burgoyne | Perkins Coie LLP

PARTNER

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